
Planning Inspectorate Ref: APP/L3055/V/14/3001886

**Bilsthorpe Business Park, off Eakring Road, Bilsthorpe,
Nottinghamshire**

**Notes of Pre-Inquiry Meeting held on 24 June 2015 at NCC
Bilsthorpe Highways Depot, Bilsthorpe Business Park, Eakring
Road, Bilsthorpe**

Introduction

1. The Inspector, Mrs Jennifer A Vyse DipTP, DipPBM, MRTPI, welcomed everyone to the meeting and introduced herself. She explained that she was an experienced senior planning Inspector and has been appointed by the Secretary of State for Communities and Local Government to conduct the forthcoming Inquiry into the application made by Peel Environmental Limited to Nottinghamshire County Council for planning permission for development of the Bilsthorpe Energy Centre comprising a plasma gasification facility, materials recovery facility and energy generation infrastructure together with associated infrastructure including weighbridge and offices, office, control room, effluent tanks, oxygen production unit, cooling tower, flare stack, pump house, water tank, car parking, surface water management system (including attenuation lagoon), hardstanding and roads, landscaping, fencing and gates and lighting at Bilsthorpe Business Park, off Eakring Road, Bilsthorpe.
2. Members of the Planning and Regulatory Committee resolved to approve the application at their meeting on 18 November 2014. However, the Secretary of State subsequently called in the application for his determination by means of a Direction dated 19 December 2015.

Purpose of the Meeting

3. The purpose of the meeting was not to discuss the merits of the proposal or to hear any evidence. Rather it was an opportunity to set out administrative and procedural arrangements to ensure that the Inquiry is carried out in an efficient and effective manner.
4. The inability of anyone to attend or be represented at the meeting does not prejudice their right to make representations at the Inquiry. Anyone who wishes to speak should let the programme officer know (details at Annex A below).
5. This Note will be circulated to all those who were present at the meeting and signed the attendance list, and any others who have indicated to date, that they wish to speak at the Inquiry. The Note will also be posted on the Council's Inquiry web site:
<http://www.nottinghamshire.gov.uk/thecouncil/democracy/planning/planning-applications/planningappeals/bilsthorpe-energy-centre/>

Appearances at the Inquiry

6. The Council was represented at the meeting by **Mr J Mitchell**, of Counsel, instructed by the solicitor to the Council. He confirmed that he would be calling one witness, **Mr M Hankin** (the Council's planning applications senior practitioner) who would be dealing with planning policy.
7. The applicant was represented at the meeting by **Mr A Williamson**, deputising for **Mr M Kingston**, of Queens Counsel who would representing the applicant at the Inquiry. He confirmed that up to seven witnesses might be called. The final decision would be confirmed nearer the time:

Mr N Roberts – in relation to planning matters

Mr Othen – in relation to technology

Mr K Honor – in relation to ecology

Mr A Bell – in relation to highways and transportation

Mr R Sutton – in relation to heritage matters

Mr D Kettlewell – in relation to noise and vibration

A N Other (or possibly Mr Othen) – in relation to source emissions

8. Two parties were afforded Rule 6(6) status for the Inquiry, which entitles them to appear at the Inquiry and call witnesses. However, one party, Newark and Sherwood Council, has subsequently withdrawn its interest. The other, **Dr K Chow**, confirmed that he would be representing himself at the Inquiry and would not be calling any additional witnesses. He would be speaking only on the matter of source emissions. It should be noted, in this regard, that Rule 6(6) parties have responsibilities as well as rights.
9. Two interest groups asked to speak to the Inquiry but had chosen not to apply for Rule 6(6) status. United Kingdom Without Incineration Network (UKWIN) would be represented by **Messrs S and J Downen**. Residents Against Gasification Experiment (RAGE) would be fielding a panel of 3-4 persons, likely to be **Mr T Smith, Mrs K Smith, Mr T Henninger** and **A N Other**. It was confirmed that each person would speak on a particular topic area to avoid repetition.
10. In addition, **Mr J Pearce**, Deputy Chair of Rufford Parish Council and **Councillor M Curry**, Chair of Eakring Parish Council, confirmed that they wished to address the Inquiry.
11. As indicated in correspondence to the Planning Inspectorate, Bilsthorpe Parish Council will be represented at the Inquiry by **Mr R Bradbury**.
12. When confirming appearances on a formal basis at the opening of the Inquiry, the Inspector asked that a printed 'team sheet' be handed up,

setting out the details of those presenting the case for each party (including those instructing them where appropriate) together with the names of the witnesses to be called. The details for the witnesses should include any relevant qualifications. Anyone speaking for an organisation will also need to provide their position and their authority to give evidence for that organisation.

Programme Officer

8. The Council confirmed that it would provide a programme officer to assist with the running of the Inquiry. Initially it was suggested that, in the lead up to the Inquiry, Mr Hankin might carry out that role. However, he was the case officer who dealt with the application. It is important that the programme officer is impartial to the proceedings in order that the principles of natural justice are not prejudiced. To this end, it was agreed that **Miss Ruth Kinsey** would carry out the role, both in the lead up to the Inquiry and during the Inquiry itself. Although employed by the Council, she is impartial to the proceedings and will be responsible to, and under the sole direction of the Inspector in all matters relating to the Inquiry. All the parties present at the meeting were content with that appointment. Contact details for Miss Kinsey are set out in Annex A below.
9. As Programme Officer, Miss Kinsey will act as liaison officer for all participants and organise and maintain the Inquiry programme under the inspector's direction. Her main tasks will be:
 - To deal with procedural queries relating to the programme and running of the Inquiry
 - To set up and maintain the Inquiry library
 - To maintain the Inquiry web site
 - To ensure that documents received during the Inquiry are recorded and distributed
 - To update the Inquiry programme as necessary

Inquiry Venue

10. The Inquiry is scheduled to sit for its duration in the South Forest Leisure Centre, Robin Hood Crossroads, Clipstone Road, Edwinstowe, Notts. With the agreement of those present, I went to see the venue after the close of the meeting, accompanied by representatives of the applicant, the Council and Dr Chow. It was confirmed that the venue is accessible by public transport. It also has substantial on-site parking capacity. Wi-fi, photocopying and fax facilities will be available and microphones will also be provided. Although there is no hearing loop system in place at the moment, it is likely that a system will have been installed before the Inquiry opens. There is lift access to the first floor and retiring rooms will be available for the Inspector and the applicant. Tea/coffee will be available throughout.
11. There is no need to vacate the accommodation by any particular time on any day and the room will be locked at the end of each sitting day, so papers can be left in place. The room will, however, need to be cleared at the end of each sitting week, although secure on-site storage will be

available for those who do not wish to take all papers home over the weekend adjournment(s).

12. Modesty screens should be provided to all tables and the witness table will need to be set up next/close to the Inspector, facing out into the room.

Inquiry Programme and Procedure

13. The Inquiry is scheduled to sit for seven days, opening at 10.00am on Tuesday **3 November 2015**. Following on from day one, the Inquiry is likely to resume each day at 09:00 hours, sitting until 17:00 – 17.30 or thereabouts, other than perhaps on Fridays, when we might finish at around 14.00 to allow for travelling. The Inspector stressed that those end times are not fixed – the Inquiry may finish earlier on some days, and/or sit later on others, depending on where the Inquiry is in terms of the presentation of evidence towards the end of any particular day. The Inquiry will adjourn for lunch each day at about 13:00 hours, for approximately 45 minutes, and there will be short mid-morning and mid-afternoon breaks.
14. Under Other Matters, the potential for an evening session was mooted. Although there had been no suggestion in the representations revised to date that there was any demand for an evening session, RAGE felt, given the level of public interest, that such would allow for local residents to take part in the proceedings who would otherwise not be able to do so because, for example, of day time work commitments. After hearing views on the matter, and given the level of public interest, Mrs Vyse agreed that the Inquiry programme would include an **evening session** on Wednesday **4 November 2015** starting at 18.00 hours at the same venue as the day time sessions. As a consequence, the Inquiry will not sit during the afternoon of that day.
15. It was made clear that the evening session was a formal part of the Inquiry and was not a public meeting. As such, all speakers would need to observe the normal rules of Inquiries, addressing the Inspector rather than the public at large. It should be noted that, as is usual practice, the witnesses heard in the day sessions would not be available at the evening session for cross-examination. The evening session will be publicised by means of this Note, and corresponding information on the Council's Inquiry website. Anyone wishing to speak at the evening session will need to provide their name and contact details in advance to the programme officer, who will collate a list of participants. The Inspector made it clear that whilst she fully recognises that local residents will have genuine and deeply held views which she is keen to hear, participants should avoid, if at all possible, repeating points already made by others. The advice at Annex B should be read by anyone wishing to take part either in the day time or evening sessions.
16. Based on the provisional timings given at the meeting, there is every expectation that the Inquiry would be completed within the allocated sitting days (3-6 and 10-12 November). Although there is no current intention to sit on Monday 9 November, the applicant has confirmed availability should such be necessary in order to avoid any overrun. If that proves to be necessary, the Inquiry would start at 10.00 on that day.

Other parties to the proceedings, including the Council, should note and keep the date available as a precaution. Mrs Vyse also asked that participants keep diaries free for the first couple of days in week commencing 16 November as a contingency, in case of an overrun. However, correspondence subsequent to the meeting reveals difficulties with the availability of counsel for the applicant in this regard. In discussion between themselves, the Council and the applicant have agreed that 26 and 27 November be reserved as a contingency. It should be noted though, that the Inspector is only available on the 26th.

17. The Council and the applicant confirmed that they would be making opening statements to set the scene for their respective cases. Dr Chow will also make an opening statement. Mrs Vyse afforded UKWIN and RAGE the opportunity to make opening statements as well, which offer was taken up. A hard copy of those statements will need to be handed up on the day, with an electronic version in word format to be emailed to the PINS Case officer, Ms Skinner (see Annex A below) as soon as practicable thereafter. Any opening statements should be no longer than 10-15 minutes max.
18. To devise a meaningful Inquiry programme, once proofs have been exchanged, the main parties, including Dr Chow, together with UKWIN, RAGE, and Rufford, Eakring and Bilsthorpe Parish Councils will need to provide estimated timings for each part of their respective cases (including evidence in chief/statements, cross examination/questions, and any closing submissions). These should be sent to the PINS case officer no later than **20 October 2015**.
19. A skeleton running order for the Inquiry was agreed. Following opening statements, the order of appearances is likely to be:

- Dr Chow – evidence in chief and cross examination by the applicant
- UKWIN - evidence and questions by the applicant
- RAGE - evidence and questions by the applicant
- Mr Pearce - evidence and possible questions by the applicant
- Councillor Curry - evidence and possible questions by the applicant
- Mr Bradbury – evidence and possible questions by the applicant
- Any other interested parties and local residents - evidence and possible questions by the applicant
- Council witness - evidence in chief and any questions from opposing parties
- Applicant witnesses - evidence in chief, any cross examination by Dr Chow, and questions from opposing parties

Timetable for submission and exchange of proofs etc

20. To ensure that all the parties, and the Inspector, have sufficient time to read and assimilate the evidence, main proofs will need to be exchanged no later than close of play **6 October 2015**. The Rules governing the submission of evidence apply only to the main parties (the applicant, the Council and Dr Chow). However, at my request, and in the spirit of cooperation and of making best use of Inquiry time, the other interested parties who wanted to submit evidence (UKWIN, RAGE, and Rufford and Eakring Parish Councils) agreed to comply with the same timetable.

Although Mr Bradbury for Bilsthorpe Parish Council was not present, he too should abide by the same arrangement. The PINS case officer will draw this to his attention. The Inspector also notes that Dr Chow and UKWIN do not, at this stage, anticipate submitting any further evidence in this regard. If that remains the case, a 'nil return' should be made at the time to that effect.

21. It was agreed that all parties would facilitate a direct exchange of evidence between themselves. Two hard copies and one electronic copy of each set of proofs, and any appendices, is also to be submitted to the PINS case officer. An additional hard copy will also need to be sent to the Council to form part of the Inquiry library, which will be maintained by the programme officer and will be kept available for inspection by any person at the Council offices during office hours until the Inquiry opens. The library will need to be moved to the South Forest Leisure Centre for the opening of the Inquiry.
22. Information on the preferred format of proofs and other material was circulated prior to the meeting. A copy is attached hereto for reference (Annex D).
23. There is no provision within the Rules for the submission of rebuttal proofs and such are not encouraged. However, the Inspector confirmed that, where they may be necessary to deal with matters that were not foreseen in opposing proofs and thus could reduce the need for cross-examination and so reduce Inquiry time, copies should be provided for each of the parties and herself, along the same lines as for the main proofs, no later than **13 October 2015**.
24. It would be helpful if any other interested persons who wish to speak at the Inquiry marshal their thoughts beforehand and put them down on paper, to be submitted along the same lines as set out above by **13 October 2015** if at all possible. More detailed advice for interested parties is set out in Annex B below.

Closing Submissions

25. Mrs Vyse confirmed that she would need a hard copy of the respective closing submissions, which will need to be provided electronically via the PINS case officer and will need to be in Word format. It is important to bear in mind that the closing submissions will form the basis of the summary of the respective cases in her Report and should, therefore, include relevant references and cross-references.

Core documents/Inquiry documents/Plans

26. Core Documents (to be prefixed 'CD') are background documents of relevance to the Inquiry. It would be expensive and wasteful to have the same documents submitted by more than one party. If it only necessary to submit a short extract from a Core Document, this will be cheaper but it must be provided in context with the related supporting text and the front cover included. The list of Core Documents should be in topic groups with gaps in the numbering between them to assist the inclusion of additional ones.

27. The main parties agreed to provide, in consultation with the Rule 6(6) party, RAGE, UKWIN and the Parish Councils, a set of Core Documents to be submitted at the same time as the proofs, namely **13 October 2015**. A hard copy set of the Core Documents will need to form part of the Inquiry library which will, in turn, be sent on to the SoS, with a further set to be submitted to the PINS case officer for forwarding to the Inspector.
28. Any documents submitted during the course of the Inquiry, and hopefully there shouldn't be a need for many, will be recorded by the programme officer on a separate Inquiry Document list. Those documents too will form part of the Inquiry library.
29. An agreed list of the plans that were the subject of the Council's resolution will need to be handed up at the start of the Inquiry.

Preliminary matters for consideration at the Inquiry

30. The Inspector confirmed that she had seen a Statement of Common Ground (SoCG) signed by the applicant and the Council. No matters of disagreement between those parties is recorded. She also had a SoCG signed by the applicant, the Council and Dr Chow. It is agreed that the facility would require an Environmental Permit and that Chapter 12 of the applicant's Environmental Statement provides an assessment of the proposed facility in relation to air quality and human health. It confirms that Dr Chow does not wish to offer evidence on any matters other than public health and that there is no agreement between the parties on this matter.
31. A considerable amount of correspondence had been submitted in response to the planning application, including petitions, all of which have been copied to the Inspector, and further correspondence was submitted following the calling in of the application. That body of correspondence raises a range of issues.
32. From her initial look at the application documents, and having regard to the Secretary of State's Direction letter, the Inspector identified the following matters as those most likely to be of interest to the Secretary of State. The Secretary of State will need to come to a view as to whether the proposal comprises sustainable development within the context of the National Planning Policy Framework. Considerations that may be encompassed by that are likely to include, but are not confined to, the following:
- whether the facility would comprises a waste disposal or recovery operation;
 - whether the scheme would accord with the development plan for the area (confirmed as including the Nottinghamshire and Nottingham Replacement Waste Local Plan Waste Core Strategy (December 2013), those saved policies of the Nottinghamshire and Nottingham Waste Local Plan of January 2002 that have not been replaced by the Waste Core Strategy, the Newark and Sherwood Core Strategy of March

2011, and the Newark and Sherwood Allocations and Development Management DPD dated July 2013);

- whether relevant development plan policies are up to date and consistent with the National Planning Policy Framework;
- the extent to which the scheme would be consistent with the National Planning Policy for Waste and the National Waste Management Plan for England;
- the historic environment;
- landscape and visual impact;
- source emissions (parties should note that health can only be considered in the context set by paragraph 7 bullet 5 of the National Planning Policy for Waste);
- odour, noise and vibration;
- ecology and agriculture;
- surface water quality and sewage disposal;
- tourism and socio-economic development in the area;
- traffic and access arrangements;
- the adequacy of the environmental statement;
- any benefits to be weighed in the planning balance, including any implications of not proceeding with the scheme.

33. The applicant asked that a statement be given when the Inquiry opens under Rule 15(2) of The Town and Country Planning (Inquiries Procedure) (England) Rules 2000. Rule 15(2) requires that, at the start of the inquiry the inspector shall identify what are, in his/her opinion, the main issues to be considered at the inquiry and any matters on which s/he requires further explanation from the persons entitled or permitted to appear.

34. Notwithstanding that request, Mrs Vyse would, in any event, set out as part of her opening comments, the main considerations which, in her view, seem likely at that stage that the Secretary of State will base his decision. However, Rule 15(3) confirms that nothing in Rule 15(2) shall preclude any person entitled or permitted to appear at the Inquiry from referring to issues which they consider relevant to the consideration of the application but which were not issues identified by the Inspector. That said, she is mindful that there was agreement at the pre-Inquiry meeting that the above list was comprehensive.

Planning Obligation

35. The Council's resolution to approve the application was subject to the applicant entering into a planning obligation to secure lorry routing

controls, a wader mitigation plan, improvements to the local sewage treatment works, and a financial contribution towards a heritage interpretation scheme. The Inspector confirmed that, if an obligation was to be submitted, she would be content to have a final undated copy to inform the related discussion at the Inquiry, with a signed and dated copy to be submitted shortly afterwards, in accordance with a timescale to be agreed at the end of the Inquiry. That would facilitate any potential alterations that might arise pursuant to the related discussion. An early draft, plus the relevant office copy entries, should be submitted at the same time as the proofs, on **6 October 2015**.

36. The Inspector also confirmed that the obligation would need to be accompanied by a joint statement between the Council and the applicant setting out how each of the obligations secured complies with the requirements of the Community Infrastructure Regulations (Regulations 122 and 123) and the tests set out at paragraph 205 of the National Planning Policy Framework. In particular, it will need to include a detailed justification for each of the obligations, including any policy support and, in relation to any financial contribution, the statement should set out how it has been calculated and exactly where, or on what it would be spent. In the absence of a CIL charging schedule, confirmation will also be required that any financial contributions would not offend the Regulations relating to pooled contributions. The joint statement should be submitted with the draft obligation.

Conditions

37. The issue of conditions must be considered in all applications so that the decision maker can be aware of the matters which the parties wish to control. So, regardless of the Inspector's eventual recommendation to the Secretary of State as to whether permission should be granted or not, the Inquiry will have to deal with conditions that he may wish to consider if he were to decide to grant planning permission. To that end, after hearing all the evidence, the Inquiry will discuss possible conditions on a 'without prejudice' basis. At the meeting, it was confirmed that the conditions listed within the SoCG would form the basis of that discussion. An electronic version of those conditions in Word format, together with reasons for their imposition, will need to be submitted with the proofs on **6 October 2015**.

Environmental Statement

38. The planning application was accompanied by an Environmental Statement. In dealing with the application, the Council considered that further information was required and two formal requests for supplementary information under Regulation 22 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 were served on the applicant. The responses incorporated supplementary reports and technical appendices, including non-technical summaries, and were sufficient to satisfy officers that the Environmental Statement provided a full assessment of the potential environmental impacts resulting from the development proposed. In addition, an EIA review has been carried out by the Planning Inspectorate

which found that the relevant tasks of the Statement were well performed with no important tasks apparently left incomplete.

39. However, submissions by UKWIN indicated that the group had continuing concerns as to the adequacy of the Statement. At the meeting, it was clarified that those concerns related specifically to whether there was sufficient information to be able to come an informed view as to whether the proposed facility would be an R1 recovery operation under Annex II of the revised Waste Framework Directive (2008/98/EC). It is noted, in this regard, that no application has been made for an Environmental Permit at this stage. The applicant agreed to provide further information on this on a voluntary basis, under Regulation 19 of the Environmental Impact Regulations. If such information is submitted it will need to be advertised in accordance with the Regulations.
40. Others also referred to ongoing concerns of Nottinghamshire Wildlife Trust and referred to problems experienced by the Trust in terms of accessing the land in order for it to carry out its own surveys. It was confirmed for the applicant, in this regard, that ecology surveys were currently ongoing and that the findings would also be provided on a voluntary basis to the Inquiry under Regulation 19. Again, if such information is submitted it will need to be advertised in accordance with the Regulations. It was also agreed that the applicant would liaise with the Trust to facilitate access to the land for its own surveys.

Site Visit

41. The Inspector confirmed that she would visit the application site and its surroundings on an accompanied basis, either during, or following the close of the Inquiry. It was made it clear that, whenever it takes place, no representations about the respective cases would be entertained during the visit and that it was simply an opportunity for the Inspector to visit the site itself, and its surroundings, including the various heritage assets referred to in the submissions to date, the village of Eakring and the location of nearby boreholes, among other things. At the present time, it seems likely that she would be accompanied on the visit by Mr Hankin for the Council, two persons representing the applicant, Dr Chow, UKWIN, three persons representing RAGE, Mr Pearce and Councillor Curry. The Council agreed to arrange transport to enable all of those wishing to attend the visit to travel together and the parties agreed to collaborate on an agreed itinerary. Depending on the eventual timing of that visit, a separate accompanied visit may also be required to allow for a late afternoon/early evening visit to look at the local highway network in operation.

Any other matters

42. Other than the potential for an evening session, referred to above, no other matters were raised that had not already been covered. The meeting closed at 13.25 hours, following which, again as referred to earlier, the Inspector, accompanied by representatives for the Council, the applicant and Dr Chow, went to look at the Inquiry venue, which was agreed to be suitable for the purposes of the Inquiry.

43. The Inspector would like to thank all parties for their assistance during the meeting and looks forward to the Inquiry itself being conducted in the same spirit and good humour.

Jennifer A Vyse

INSPECTOR

Annexes appended to these Notes

Annex A – Contact details

Annex B – Guidance for interested parties

Annex C – Content and format of proofs

Annex D – Key dates

Annex A

Contact Details:

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Annex B

Summary guidance for interested parties:

Inquiries are open to members of the public and, although you do not have a legal right to speak, the Inspector will normally allow you to do so - local knowledge and opinion can often be a valuable addition to the evidence given by the applicant and the Council. If you do wish to speak at the forthcoming Inquiry, you should provide contact details to the programme officer, Miss Kinsey. The simplest way is by email or letter before the Inquiry (contact details in Annex A above) but equally effective would be by turning up at the opening of the Inquiry on the first day and giving details then. If there are difficulties for you in terms of timing and other commitments, you may wish to appoint someone to speak on your behalf. Although the Inquiry programme has yet to be prepared, it is anticipated that interested parties would be heard on that opening day, on the morning of the second day or, if day time attendance is difficult, during the evening session planned for the second day.

As set out at paragraph 24 above, it would be helpful if any interested persons who wish to speak at the Inquiry marshal their thoughts beforehand and put them down on paper, to be submitted by **13 October 2015** if at all possible. However, that is not to say that anyone who does not do so would not be able to speak at the Inquiry, but Inquiries are not the place to spring surprises. If a statement is not provided electronically or on paper, then the resident will need to speak slowly, at 'dictation speed', when appearing so that the inspector can make notes.

No matter how strongly people feel about this proposal, there is nothing to be gained by a procession of people all saying the same thing. On the day, it might be that some residents decide that their point has been made already and that it did not need to be repeated. Repetition should be avoided. Residents might face questions from the applicant's advocate but this often does not take place at residents' sessions and, in any event, the Inspector will ensure that there is no aggressive questioning. Residents may also ask questions of the applicant's witnesses. Any such questions must be relevant to the evidence that particular witness has given and should not repeat questions that have already been asked.

Further more detailed information for interested parties can be found on the Planning Portal, including:

Procedural Guide: Planning appeals– England (6 April 2015)

http://www.planningportal.gov.uk/uploads/pins/procedural_guide_planning_appeals.pdf

and

Guide to taking part in planning, listed building and conservation area consent appeals proceeding by an Inquiry – England (6 March 2014)

http://www.planningportal.gov.uk/uploads/pins/taking-part_planning-inquiry.pdf

Annex C

Key Dates:

Action	Timetable
Submission and exchange of proofs of evidence (Council, applicant and Dr Chow) and statements of RAGE, UKWIN and the Parish Councils	6 October 2015
Draft planning obligation and CIL compliance statement	6 October 2015
Draft conditions	6 October 2015
Written statements of other interested parties who wish to speak (if speaking from a written statement) if possible	13 October 2015
Submission of Core Documents	13 October 2015
Rebuttal proofs	13 October 2015
Time estimates to enable an Inquiry programme to be drawn up	20 October 2015
Inquiry opening	3 November 2013
Evening session	4 November 2013

Annex D

Content and Format of Proofs and Appendices

Content

Proofs of evidence **should**:

- focus on the issues of remaining dispute following the statements of common ground;
- be proportionate to the number and complexity of issues and matters that the witness is addressing;
- be concise, precise, relevant and contain facts and expert opinion deriving from witnesses' own professional expertise and experience, and/or local knowledge;
- be prepared with a clear structure that identifies and addresses the main issues within the witness's field of knowledge and avoids repetition;
- focus on what is really necessary to make the case and avoid including unnecessary material, or duplicating material in other documents or another witness's evidence;
- where case law is cited in the proof, include the full Court report/ transcript reference and cross refer to a copy of the report/ transcript which should be included as a core document.

Proofs **should not**:

- duplicate information already included in other Inquiry material, such as site description, planning history and the relevant planning policy, the results of any pre-inquiry agreements;
- recite the text of policies referred to elsewhere: the proof need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposal's merits need be referred to.

Format of the proofs and appendices:

- Proofs to be no longer than 3000 words if possible
- Proofs are to be spiral bound or in such a way as to be easily opened and read.
- Appendices are to be bound separately.
- Appendices are to be indexed using **projecting tabs**, labelled and **paginated**.

- Front covers to proofs and appendices are to be clearly titled, with the name of the witness on the cover and numbered.
- The numbering system for proofs and appendices should be sequential, with letters prefixed to denote the name of the party. So, the applicant's first witness's proof, appendices and summary should be numbered APP/initials of witness/1, /2, /3 etc.
- For the Council, the witness documents would be numbered NCC/witness initials/1 etc
- The numbers should appear in bold in the top right hand corners of the front covers of proofs and appendices.
- Where proofs are longer than 1500 words, summaries are to be submitted and included in the numbering system as above.

Plans and Photographs

- Plans to be reduced to a maximum A3 size and bound together for easy reference.